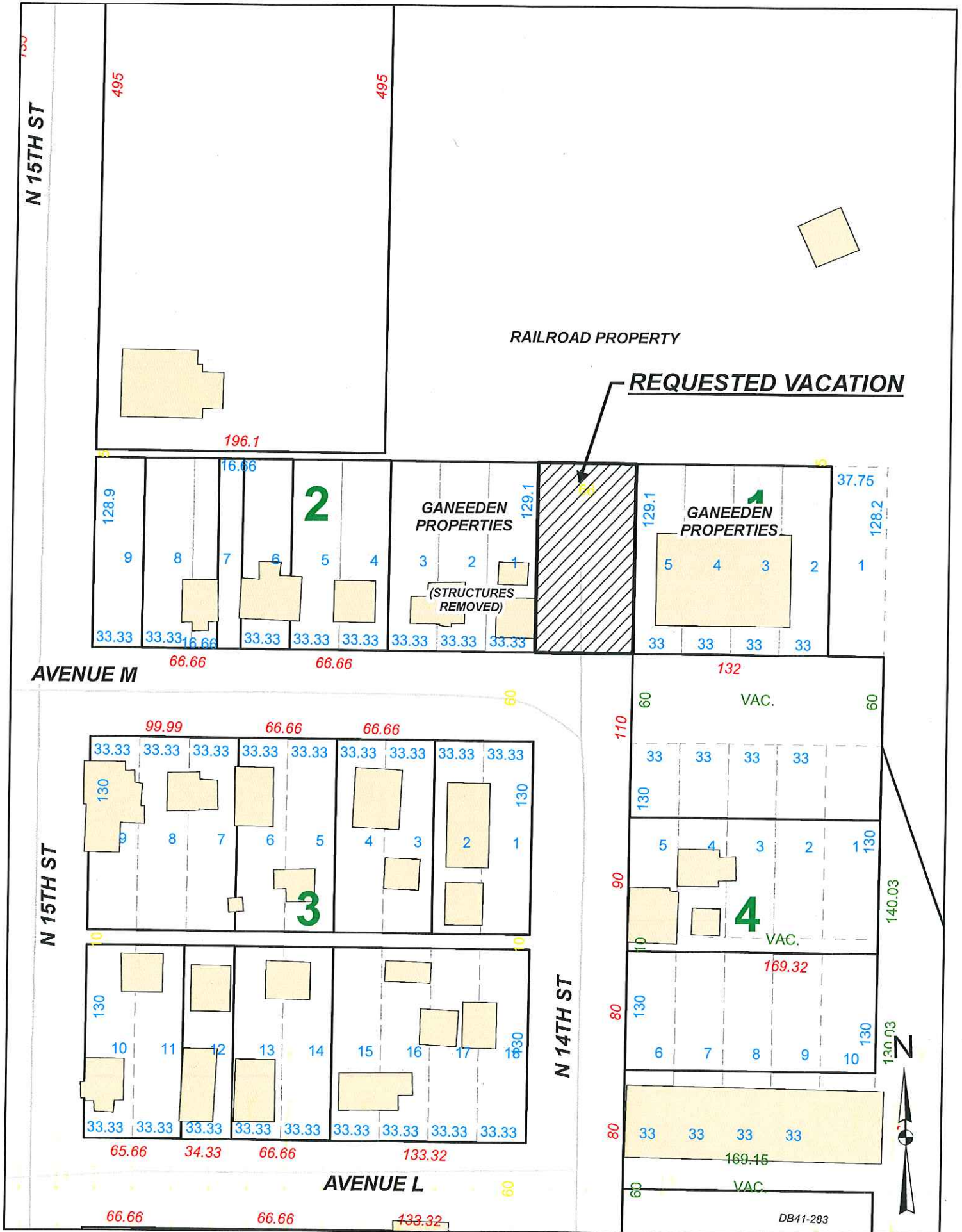
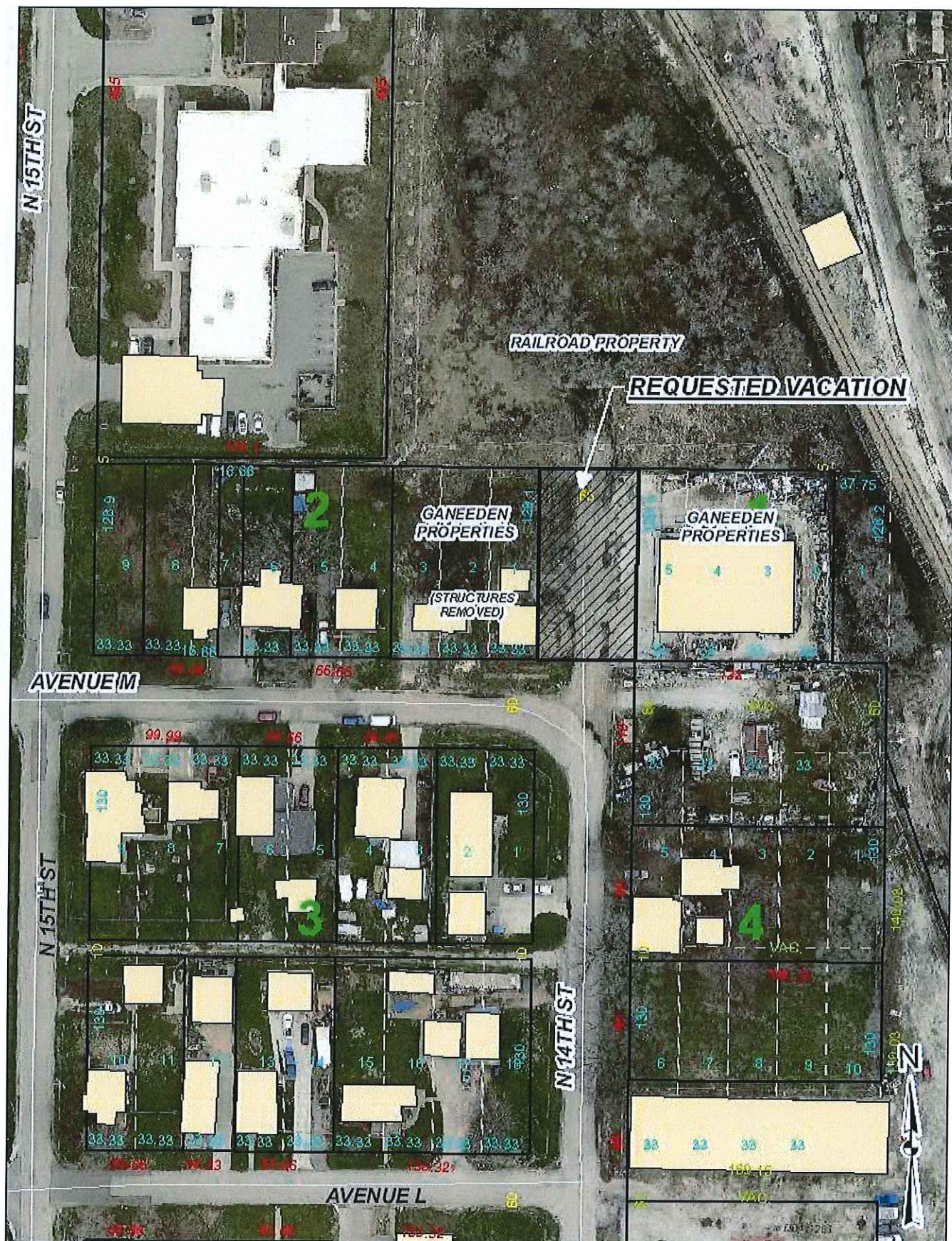


City Planning Commission

<p>Department: Community Development</p> <p>Case #SAV-15-008</p> <p>Applicant: Ganeeden Properties, LLC 1301 North 14th Street Council Bluffs, IA 51501</p> <p>Represented by: Lyle W. Ditmars 233 Pearl Street Council Bluffs, IA 51503</p>	<p>Resolution of Intent No. _____</p> <p>Resolution to Dispose No. _____</p>	<p>Planning Commission: 03/08/16</p>
Subject/Title		
<p>Request of Ganeeden Properties, 1301 North 14th Street, represented by Lyle W. Ditmars, 233 Pearl Street, Council Bluffs, IA 51503, to vacate that portion of North 14th Street lying north of the north line of Avenue M and abutting Lot 5, Block 1 and Lot 1, Block 2, Thompson's Addition.</p>		
Background		
<p>In October, 2015, Ganeeden Properties, located at 1301 North 14th Street, requested vacation of North 14th Street lying north of Avenue M. They also own the property across the street to the west previously known as 1400 Avenue M and wanted to purchase the right-of-way in order to expand their existing salvage business. The right-of-way is open, but not improved. It is a dead-end right-of-way which measures 66 feet wide and 129 feet long for a total of 8,520 square feet.</p> <p>MidAmerican Energy had concerns with the requested vacation due to existing overhead distribution facilities located along the west side of the existing R.O.W. These facilities provide service to a large number of MEC customers. Because of these concerns MidAmerican requested that the vacation request be denied. The applicant then withdrew the request until an agreement could be made with MidAmerican. Cox communications also has aerial facilities within the right-of-way and access will need to be maintained.</p> <p>On Friday, February 26, 2016, the Community Development Department was informed that an agreement is pending between the applicant which will give MidAmerican Energy access to the right-of-way, if vacated, and that the utility is no longer opposed.</p>		
Comments		
<ol style="list-style-type: none">1. This right-of-way is not needed by the City. It is open, but not improved.2. Ganeeden Properties owns the property on both sides of this portion of North 14th Street. If vacated, the right-of-way will be incorporated into their existing business.3. Vacating this right-of-way will eliminate any potential liability to the City and eliminate a dead-end r.o.w.4. MidAmerican Energy and Cox Communications need to maintain access to existing facilities located to the north as explained above. An access easement along the West 1/2 of this portion of North 14th Street has been granted by the applicant and accepted by MidAmerican Energy.		
Recommendation		
<p>The Community Development Department recommends vacating that portion of North 14th Street lying north of the north line of Avenue M and abutting Lot 5, Block 1 and Lot 1, Block 2, Thompson's Addition. A perpetual access easement will be retained across the West 1/2 of said right-of-way.</p>		
<p>Attachments: Maps showing requested right-of-way vacation.</p> <p>Prepared By: Rebecca Sall, Assistant Planner, Community Development Department</p>		





CASE #SAV-15-008